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Kallua, Aug. 19, 1886.

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Dawaiian Gazette.

TUESDAY, SEPTEMBER 28, 1886.

HAWAIIAN LEGISLATURE. SESSION OF 1886.

ONE HUNDRED AND SIXTH DAY.

Monday, Sept. 20. The Assembly convened at 10 a. m. Prayer by the chaplain; reading of minutes of previous meeting, which were duly

approved.

Representative Kaunamano, under sus-pension of the rules, presented the following petitions from residents of districts on the Island of Hawaii, viz: 1, From Kohala, praying that the mail bag be opened at two places in the district-Makapala and Puehuehu. 2, From the district of Hamakua, praying that the mail carrier be paid \$20 a week for carrying the mails between Waipio and Laupahoehoe. 3, From the district of Hamakua, with 36 signatures, praying that a law be enacted, requiring the Minister of the Interior to have plans prepared of all Government

Committee on Public Lands, etc. Representative Kaunamano from the special committee to whom was referred an Act to regulate a Hawaiian Board of Health, presented a report signed by him self and Kalua, to the effect that they had had the bill under careful consideration. They consider it would be proper to have some law to regulate the practice of Hawaiian remedies among Hawaiians. The bill is divided up into three distinct divisions. The committee recommend that the bill be placed on the order of the day, and carefully considered by the Assembly.

lands be sold at auction. All referred to

Report approved. Representative Dole, from a special committee, reported the Hawaiian version of the bill to license the brewing of malt liquors, as ready. Bill read and tabled

for further consideration. On motion, the bill relative to the observance of Sunday was taken from the table and placed among the special orders

of the day. Representative Aholo offered the fol

lowing resolution: Whereas, Thursday, November 16th, is the fiftieth anniversary of the birth of His Majesty, the King; and whereas, there should be a proper observance of that day, be it

Resolved, That a select committee of section. seven be appointed to take into consideraproperly celebrate His Majesty's birthday. Adopted. On motion, the Committee on Com-

the 23d inst, on the bill relative to "Collisions at Sea." On motion, the bill for the relief of the Superintendent of Water Works, Charles B. Wilson, was placed on the order of the

day for the 22d inst. A motion to place the bill relating to the preservation of the archives of the Kingdom on the order of the day was served with three Commissioners. made and lost.

moved, the joint resolution to further appropriate moneys for expenses of the Legislature was brought up on third reading and passed as follows: "Be it enacted by the King and the Legislative Assembly of the Hawaiian Is

lands, in the Legislature of the Kingdom assembled: "That the sum of fifteen thousand taken on the amendment, resulting as fol-(\$15,000) dollars be, and the same is hereby further appropriated out of the public monies for the purpose of defray-

ing the necessary expenses of the Legis-lative Session of the year A. D. 1886." Second reading of an Act to amend and consolidate the law relative to the Commissioners of Private Ways and Water

The 1st section, which relates to the definitions of terms used, was passed without comment.

Section 2. There shall be appointed by the Minister of the Interior in each election district of the Kingdom, one competent person to act as Commissioner of Private Ways and Water Rights; provided however, that nothing herein shall prevent the appointment of one person for two or more districts, if the same can be the inhabitants thereof, etc., etc., etc.

To this section strong objection was that, he objected to the section because it ions of the old law, and offered a new and complicated law of water controversy. It power for one man, who may act in more than one district. It provides that a resison shall act as Commissioner in any case | Appropriation Bill. where he shall have direct business relainess man fit to hold such powers as herein conferred? He believed the change of for a complicated bill like the one under consideration, would be bad and dangerous to the rights of the citizens.

Representative Dole said that the bill was drawn with the purpose of simplifywhat before was loose and vague. The Martin, viz: bench of three Commissioners was worth-

one Comissioner. In preparing the bill it was carefully considered, and revision was made by several lawyers of experience in water cases. It is considered to be as near perfect as possible. It would be for the public good to pass it, as it provided for the prompt hearing of cases giving the poor man a chance as against the rich.

Representative Thurston stated that he supported the bill and section, for as long as he had been at the bar he knew that every lawyer dreaded a water suit. There was more trouble and misunderstanding about such a suit than anything else. There was no point in Hawaiian law that needed more study, or was so uncertain, as the water law. A great deal of trouble was caused by having three Commission ers. On behalf of the bar, he hoped this

bill would pass. The Attorney-General said that he had examined the bill previous to his becoming a member of the Cabinet and at the time had made the following marginal note, viz: "The law of water rights and rights of way could be amended, and with advantage. But this Act is not the healing remedy required, but rather an external counter-irritant. The general interest of the Hawaiian subject will be the best lands to be sold under the Homestead Act and posted on the Court House doors; that the land be sold at \$50 for twenty acres, and that no Government twenty acres, and that no Government Pending action the Assembly at 11.55. served by the quiet and solemn burial of Pending action the Assembly at 11:55

adjourned until 1:30 p. m. AFTERNOON.

The Assembly re-convened fifteen min-utes after the hour set and discussion of the bill relating to "Private ways and

water rights," was had. Representative Castle stated that in answer to some remarks passed in debate, he would say that he had been retained as counsel by residents of Waiehu to protect their intersts in case a monopoly of water was attempted by the Hawaiian Commercial Company in that district. As yet everything had been most amicable and there was nothing, at present, indicative of any trouble. He was of the opinion that Mr. Spreckels and his agent there, Mr. G. C. Williams, had not endeavored to encroach on the rights of the people. The bill had been drawn up by him and introduced simply for the sake of simplifing matters. The Assembly having the bill under discussion could by their action, show whether they regarded it for or

against the public interests. Representative Kaulukou was satisfied that Rep. Castle had paid considerable attention to the framing of the bill, but, in his (K's) opinion, the present bill was not as good as the law in existence. He favored the indefinite postponement of the

Representative Kalua in substance tion the preparation of a programme to stated that, the bill did not change people's rights; it only provided for one Commissioner in place of three, and simplified the methods of finding out what merce were ordered to make a report on were people's rights.

Representative Aholo said in some repects one Commissioner was better than three, and in other respects three were better than one. An experiment had been tried with Road Commissioners, but did not work, and it would be the same with these Water Commissioners. He thought the interests of the people would be best

The Attorney-General moved to amend The regular order of the day now being the section by striking out the word "one" and inserting "three" in place thereof, and also striking out the following words: "Provided, however, that nothing herein shall prevent the appointment of one person for two or more districts, if the same can be done without prejudice to the rights of the inhabitants thereof." On motion the ayes and nays were

> Ayes-The Ministers, (3), Kaae, Kape na, Parker, Hayselden, Lilikalani, Baker, Amara, Kaulukou, Kaunamano, Nahale, Aholo, Kaukau, Kauai—16.

Noes-Bishop, Bush, Kauhi, Brown, Pahia, Wight, Nahinu, Kalua, Castle, Dickey, Thurston, Paehaole, Dole, Palo-

o'clock next morning.

At 3:43 the House adjourned to 10

ONE HUNDRED AND SEVENTH DAY. Tuesday, Sept. 21st. The Assembly convened at 10 a. m., pursuant to adjournment from the previous date. After prayer by the chaplain and reading of minutes of previous meeting had been finished the following redone without prejudice to the rights of ports of committees were presented and

read. Representative Brown from Judiciary made by the Attorney-General, who said Committee, a report signed by himself and Reps. Palahou, Kaunamano, and

"The Judiciary Committee, to whom was referred the bill for the relief of cerdoes away with three Commissioners, and tain owners of property in Makiki Valley, substitutes one. It provides extensive District of Honolulu, Island of Oahu, do respectfully recommend that the same pass, and the sum of \$27,715 be inserted dent of one district may leave it and go to in the Appropriation Bill for the purpose another district to seek redress. He claimed of paying the claims set forth in said also that the section provides that no perbill." Tabled for consideration with the

The Minister of Interior reported that tions with either party. Is any but a bus- His Majesty had signed and approved a joint resolution for the further appropria tion of \$15,000 to defray the expenses of system so long in vogue, and so familiar, the Legislative session of 1886. He also reported from the Printing Committee the bill to grant a franchise for the lighting of the city of Honolulu by electric light.

Representative Brown presented two reports from the Judiciary Committe, one ing matters. As the law stands now it is after the other, signed by himself, Reps. not definite. This bill gives a system to Palahou, Kaunamano and Hon. J H. S. "The Judiciary Committee, to whom

less and delayed business, as it was impos- was referred the petition of J. H. Soper, sible to get them to meet together. It was in regard to certain sums of money renot dangerous to have one case tried by covered against and expended in regard